

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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KERRY ASHDOWN,

Plaintiff,

v.

EQUINOX, incorporated as

EQUINOX HOLDINGS, LLC,

EQUINOX INVESTMENTS, INC.,

JOE MATARAZZO a/k/a JOSEPH  
MATARAZZO, MAURO MAIETTA,

LAWRENCE SANDERS,

MATT PLOTKIN a/k/a MATTHEW PLOTKIN,  
and MATTHEW HERBERT,

Defendants.

Civil Action No. 13-cv-1374 (HB)(GWG)

**STIPULATION**

WHEREAS, Plaintiff shall be amending her Summons and Complaint, including the caption, to (i) name Equinox Holdings, Inc. ("Equinox") as a defendant and (ii) remove Equinox Investments, LLC and Equinox Holdings, LLC as defendants; and

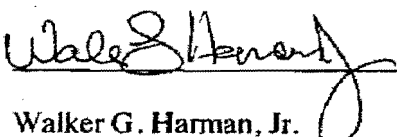
WHEREAS, the parties desire to enter into an agreement concerning service of process and also to establish a briefing schedule in the event that the defendants, or any of them, file a pre-answer motion;

NOW THEREFORE, SUBJECT TO COURT APPROVAL, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel, as follows:

1. Service of the Amended Summons and Complaint by the plaintiff shall be made by e-mail upon the undersigned attorneys for the defendants, which have been authorized by the defendants to accept service on its and their behalf. *W/n 15 days from date.* HBA
2. The defendants shall respond (i.e., answer or motion) to the Amended Summons Complaint within 40 calendar days of service of the Amended Complaint;
3. Plaintiff's opposition papers to any pre-answer motion filed by the defendants, or by any of them, shall be served by e-mail by the Plaintiff within 30 calendar days of service of the motion; and
4. Defendants' reply papers, if any, shall be served by e-mail within 14 calendar days of receipt of plaintiff's opposition papers.

This stipulation may be signed in counterparts and electronic signatures shall serve as originals for the purposes of this stipulation.

THE HARMAN FIRM, P.C.

  
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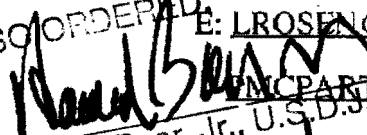
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*The DTC date remains the same.*  
SO ORDERED:  
  
Harold Baer, Jr., U.S.D.S.

Date: 3/22/13